

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

VALERIE W. WAKEFIELD,) CIVIL DIVISION
(Plaintiff,) Civil Action No. 05 CV 79 – Erie
(v.) Honorable Maurice B. Cohill, Jr.
JOY MINING MACHINERY)
COMPANY, a division of Harnischfeger)
Industries,) JURY TRIAL DEMANDED
(Defendant.)
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() *Electronically Filed*

AMENDED MOTION TO EXTEND DISCOVERY DEADLINE

AND NOW, comes the Defendant, Joy Mining Machinery Company, a division of Harnischfeger Industries, by and through its counsel, Pietragallo Bosick & Gordon LLP, and files the within Amended Motion to Extend Discovery Deadline setting forth as follows:

1. On August 28, 2006, Defendant Joy Mining Machinery Company ("Joy") filed a Motion to Extend Discovery Deadline, outlining therein the reasons for requesting that the discovery deadline be extended by thirty (30) days in this matter.

2. Joy hereby incorporates and fully adopts the Motion to Extend Discovery
herein, but adds an additional reason for requesting a thirty (30)-day extension of the
discovery deadline in this matter.

3. During the night of August 28, 2006, the Franklin, Pennsylvania area where Joy's plant is located suffered heavy rains, causing flooding at Joy's plant and rendering it 75% non-operational at this time.

4. As a result, many of the individuals involved in this litigation are needed to assist in the clean up efforts necessary to restore the plant to its operational status.

5. Therefore, Joy respectfully requests that this Court extend the discovery deadline by thirty (30) days, placing the new discovery deadline at October 9, 2006.

WHEREFORE, Defendant Joy Mining Machinery Company respectfully requests that this Honorable Court extend the discovery deadline in this matter by thirty (30) days to October 9, 2006.

Respectfully submitted,

/s/ Pamela G. Cochenour, Esquire
PAMELA G. COCHENOUR, ESQUIRE
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LISA A. BORRELLI, ESQUIRE
JOY MINING MACHINERY
177 Thorn Hill Road
Warrendale, PA 15086

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **AMENDED MOTION TO EXTEND DISCOVERY DEADLINE** will be forwarded via the ECF system to the following counsel of record this 29th day of August, 2006:

Alexander H. Lindsay, Jr.
Lindsay, Jackson & Martin
128 South Main Street
Butler, PA 16001

/s/ Pamela G. Cochenour, Esquire
PAMELA G. COCHENOUR, ESQUIRE
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